



TTAB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

American Italian Pasta Company)

Opposer,)

v.)

Barilla G. E R. Fratelli)
- Società Per Azioni)

Applicant.)

OPPOSITION NO. 91161373



09-19-2006

U.S. Patent & TMO/TM Mail Rcpt Dt. #

MOTION FOR EXTENSION OF TIME OF SCHEDULING ORDER

Applicant, Barilla G. E R. Fratelli - Società Per Azioni, ("Barilla"), respectfully requests that the Board approve a sixty days extension of all the remaining trial dates on the scheduling order as well the time for Barilla to respond to American Italian Pasta Company's ("AIPC") Third set of Requests for Admissions, AIPC's third Set of Requests for the Production of Documents, and AIPC's Third Set of Interrogatories.

This request is not being filed for purposes of delay, but to allow Barilla additional time to confer with its' foreign client as well as that clients' U.S. representative on the pending discovery requests. AIPC was contacted, through its counsel, Cheryl Burbah and declined to consent to this extension.

If granted, the time for Barilla to respond to the outstanding discovery requests will be **November 18, 2006**, and the pending trial dates will be reset as follows:

Testimony period for party:
in position of plaintiff to

January 12, 2007

close (opening 30 days prior
thereto)

Testimony period for party:
in position of defendant to
close (opening 30 days prior
thereto)

March 13, 2007

Rebuttal testimony period to:
close (opening 15 days prior
thereto)

April 27, 2007

Respectfully submitted,
Barilla G. E R. Fratelli -
Società Per Azioni

By: Brian Banner
G. Franklin Rothwell
Brian Banner
Attorneys for Applicant
ROTHWELL, FIGG, ERNST & MANBECK
1425 K Street, N.W.
Suite 800
Washington, D.C. 20005
Telephone: (202) 783-6040

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **MOTION FOR EXTENSION OF TIME OF SCHEDULING ORDER** was served this 19th day of September, 2006, via U.S. first-class mail, in a postage prepaid envelope, on counsel for Opposer as follows:

Cheryl Burbach, Esq.
Law Offices of Hovey Williams LLP
2405 Grand Boulevard
Suite 400
Kansas City, Mo. 64108-2519


Patrick Collares